pls ponot enter

10/12/2006 07:28:34 PM

Lillian Ruiz-Orellana

MarshallGerstein

Page 1

RECEIVED
CENTRAL FAX CENTER

OCT 1 2 2006

NY

MARSHALL, GERSTEIN & BORUN LLP
ATTORNEYS AT LAW
6300 SEARS TOWER
233 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606-6357
(312) 474-6300
FAX: (312) 474-0448

10/12/2006

FACSIMILE TRANSMISSION SHEET

TO: Examiner T. S. Lau

The United States Patent & Trademark Office

5712736300

FROM:

Paul B. Stephens

RE:

USSN: 10/773,860 - Our Ref.: 30320/18023_US

PAGES (INCLUDING THIS PAGE): 13

,

If you do not receive all pages of this fax in good condition, please contact Lillian Ruiz-Orellana at (312) 474-6300.

This transmission contains confidential information intended only for the addressee. If you are not the addressee, any disclosure or use of this information by you is strictly prohibited. If you have received this facsimile in error, please notify us by telephone immediately.

PAGE 1/13 * RCVD AT 10/12/2006 8:25:10 PM [Eastern Daylight Time] * BVR:USPTO-EFXRF-3/17 * DNIB:2736300 * C8ID:MarshallGerstein * DURATION (mm-ss):05-56

PIS

10/12/2006 07:28:39 PM

Lillian Ruiz-Orellana

MarshallGerstein

Page 2

vy

RECEIVED CENTRAL FAX CENTER

OCT 1 2 2006

I hereby certify that this paper (along with any paper referred to as being attached or emissed) is being transmitted via facsimile to the 4-3-7-bit mand Transmerk Office, to facsimile on (571-273-8300) on the date shown below

Reply Under 37 C.F.R. §1.116 Expedited Procedure Examining Group 2863

Docket No.: 30320/18023

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Rajesh Banginwar et al.

Application No.: 10/773,860

Confirmation No.: 7222

Filed: February 6, 2004

Art Unit: 2863

For: METHOD AND APPARATUS FOR

PROFILING POWER PERFORMANCE OF

SOFTWARE APPLICATIONS

Examiner: T. S. Lau

AMENDMENT AFTER FINAL ACTION UNDER 37 C.F.R. 1.116

MS AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated September 6, 2006, finally rejecting claims 1-26 and 28, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 7 of this paper.

PAGE 2/13 * RCVD AT 10/12/2008 8:25:10 PM [Eastern Daylight Time] * SVR:USPTO-EPXRF-3/17 * DNIS:2738300 * CSID:MarshallGerstein * DURATION (min-ss):05-58